



**Consumers for  
AFFORDABLE  
Health Care  
COALITION**

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39 Green Street  
Post Office Box 2490  
Augusta, ME 04338-2490

Tel: 207 / 622 - 7045

Fax: 207 / 622 - 7077

E: [consumerhealth@mainecahc.org](mailto:consumerhealth@mainecahc.org)

Web: [www.mainecahc.org](http://www.mainecahc.org)

*Advocating the right to health care  
for every man, woman and child.*

June 16, 2006

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**VIA CERTIFIED MAIL,  
RETURN RECEIPT REQUESTED**

Sally Bourget, Clerk of Court  
Cumberland County Superior Court  
142 Federal Street  
P.O. Box 287  
Portland, Maine 04112-0287

Re: Maine Association of Health Plans v. Dirigo Health Agency  
Docket No. AP 05-94

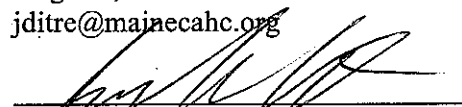
Dear Ms. Bourget:

Please find enclosed Consumers for Affordable Health Care's Objection to  
Motion for Clarification.

Thank you for your attention in this matter.

Respectfully submitted,

Joseph P. Ditré, Esq., Bar #3719  
Consumers for Affordable Health Care  
39 Green Street, P.O. Box 2490  
Augusta, ME 04338-2490  
[jditre@mainecahc.org](mailto:jditre@mainecahc.org)

  
Jack Comart, Esq.

Maine Equal Justice  
126 Sewall Street  
Augusta, Maine 04330  
[jcomart@mej.org](mailto:jcomart@mej.org)

**Counsel to**  
Consumers for Affordable Health Care

Pc:  
William H. Laubenstein, III, Esq.  
William H. Stiles, Esq.  
D. Michael Frink, Esq.  
Bruce C. Gerrity, Esq.  
Christopher T. Roach, Esq.

SUPERIOR COURT  
CIVIL ACTION  
Docket No. AP-05-94

FILING COVER SHEET OF  
CONSUMERS FOR AFFORDABLE  
HEALTH CARE'S OBJECTION TO  
MOTION FOR CLARIFICATION

## Counsel to Consumers for Affordable Health Care

SUPERIOR COURT  
CIVIL ACTION  
Docket No. AP-05-94

## COMSUMERS FOR AFFORDABLE HEALTH CARE'S OBJECTION TO MOTION FOR CLARIFICATION

Procedurally, Petitioners' Motion fails to even mention these elemental requirements. Substantively, Petitioners have failed to make a showing on any of the elements. For example, Petitioners have failed to show that there would be "no substantial harm to the adverse parties or

the general public.” As this Court is aware, the SOP funds health care for approximately 17,000 people in Maine. Petitioners’ motion, if granted, would seriously harm the general public.

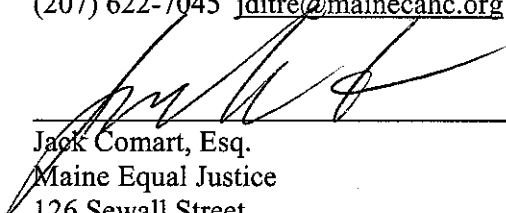
Petitioners’ Motion seems to skirt compliance with 5 M.R.S.A. §11004 and instead Petitioners ask this Court to stay collection of the SOP because to do otherwise would be “unfair.” However, the Court’s May 19, 2006 Order Granting Dirigo Health’s Motion for Stay is simply a continuance granted for sound reasons of judicial economy. If Petitioners ultimately prevail in their initial and fundamental challenge in Maine Association of Health Plans, et. al. v. Superintendent of Insurance, Docket No. AP-05-90/85/96, then Petitioners will prevail in this lawsuit. In short, the Court’s May 19<sup>th</sup> Order does not delay resolution of Petitioners’ challenge in the instant litigation.

Accordingly, Petitioners’ Motion for Clarification should be denied.

Date: June 16, 2006

Respectfully submitted,

Joseph P. Ditré, Esq. Bar #3719  
Consumers for Affordable Health Care  
39 Green St., P.O. Box 2490  
Augusta, Maine 04338-2490  
(207) 622-7045 [jditre@mainecahc.org](mailto:jditre@mainecahc.org)



Jack Comart, Esq.  
Maine Equal Justice  
126 Sewall Street  
Augusta, Maine 04330  
[jcomart@mejp.org](mailto:jcomart@mejp.org)

**Counsel to**  
Consumers for Affordable Health Care

## CERTIFICATE OF SERVICE

The undersigned hereby certifies that on June 16, 2006, copies of **Consumers for Affordable Health Care's Objection to Motion for Clarification** were served on each of the persons listed below by first class mail and electronically.

**William H. Laubenstein, III, Esquire**  
Office of the Attorney General  
6 State House Station  
Augusta, Maine 04333-0006

**Christopher T. Roach, Esquire**  
Pierce Atwood  
One Monument Square  
Portland, Maine 04101

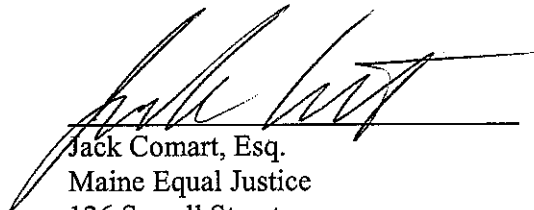
**Bruce C. Gerrity, Esquire**  
**Roy T. Pierce, Esquire**  
PretiFlaherty  
One City Center  
P.O. Box 9546  
Portland, ME 04112-9546

**William H. Stiles, Esquire**  
Verrill Dana, LLP  
One Portland Square  
Portland, ME 04101

**D. Michael Frink, Esquire**  
Curtis, Thaxter, Stevens, Broder & Micoeau, LLC  
One Canal Plaza  
P.O. Box 7320  
Portland, ME 04112-7320

Respectfully submitted,

Joseph P. Ditré, Esq., Bar #3719  
Consumers for Affordable Health Care  
39 Green Street, P.O. Box 2490  
Augusta, ME 04338-2490  
jditre@mainecahc.org



Jack Comart, Esq.  
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